

MAY CONNECT WITH SEWER

POLICE JUDGE EISELEY TRIES FIRST CASE.

CITY PLUMBERS NOT UPHELD

Complaint Against Foreman of Contractor Herrick's Sewer Company is Dismissed, Judge Holding There is No Ordinance to Regulate.

Police Judge Eiseley held his first trial in police court Wednesday morning, dismissing a complaint that had been filed against Jesse Martin, Contractor O. P. Herrick's superintendent in charge of the Norfolk sewer construction. Under Judge Eiseley's ruling there is no valid city ordinance that regulates the making of private sewer connections with the sewer system. Accordingly Superintendent Martin, who had been charged by James Pignatelli, a Norfolk plumber with connecting the Norfolk Light & Power company with the new sewer without proper license or special permit, had violated no ordinance and was released from the complaint against him. City Attorney Hazen represented the city at the hearing. Former City Attorney Weatherby appearing for Contractor Herrick and Superintendent Martin.

The complaint against the sewer people was pending in police court when City Attorney Hazen was named to handle the city's legal affairs. Whether the city's right to prevent or at least regulate private connections made with the new sewer would be protected by a new ordinance or by further court proceedings was a question to be referred to the mayor and councilmen, the city attorney stated following the Wednesday morning trial. Contractor Herrick, who was in the city Wednesday morning, has contracted with several Norfolk people living adjacent to the sewer mains to connect them with the sewer, which is still in process of construction and not yet accepted by the city.

THURSDAY TIDINGS.

A. M. Wright of Lead City is in Norfolk today.

W. L. Rowley of York stopped in Norfolk yesterday.

James Keogh of Hartington was in Norfolk yesterday.

D. R. Morrow of St. Paul was in Norfolk over night.

Dr. Thomas of Pierce visited friends in Norfolk yesterday.

Mr. and Mrs. E. W. Grady of Tilden are Norfolk visitors today.

Attorney M. F. Harrington of O'Neill was in Norfolk this morning.

W. W. Bussington of Winnetoon is visiting his sister, Mrs. I. T. Cook.

Orto Valkman and E. Wagner of North Bend were in the city yesterday.

H. L. Whitney, land commissioner for the Northwestern, spent the night in Norfolk.

Mr. and Mrs. Kubo returned to Hay Springs yesterday after a short visit in Norfolk.

Mrs. L. H. Hutchins and Mrs. J. A. Ruhl of Belle Plaine, Iowa, arrived yesterday to visit with Mrs. C. E. Doughty. Mrs. Hutchins is Mrs. Doughty's mother and will visit for a short time.

Miss Ida Relland returned to Norfolk last evening after a few days' visit with her parents, Mr. and Mrs. A. Relland, at Humphrey.

Mrs. S. M. Braden returned at noon yesterday from Chicago, accompanied by her sister, Mrs. Gordon M. Culver, who will visit here a short time.

Mr. and Mrs. C. E. Greene returned to Norfolk last evening after a two weeks' visit at Omaha, Lincoln and Hastings, being in attendance at the annual gathering of the U. C. T. at the latter city.

J. C. Stitt was in Stanton yesterday.

Charles Rice left at noon for Stanton.

Roy Townsend, a bridge contractor of Boyd county, is in Norfolk today.

Mrs. Martin White left at noon for a few weeks visit with relatives at Nebraska City.

Mrs. H. G. Bain and children left today for Panama to join Mr. Bain, who has a government position in the Canal Zone.

Mrs. J. S. Shoemaker of Omaha arrived in Norfolk last evening on a visit with her sister, Mrs. E. P. Weatherby. Mrs. Shoemaker will be the guest of Mrs. Weatherby for the next few weeks.

John Tannehill, United States postmaster in the city of Panama, left Norfolk at noon for the canal zone after a five weeks visit in the city with his parents, Mr. and Mrs. A. F. Tannehill. Leaving for Panama by way of New York, Mr. Tannehill will visit St. Louis and other cities enroute.

Born to Mr. and Mrs. Frank Winter, a son.

"Colder tonight with killing frost," was Thursday morning's weather forecast.

The West Side Whist club will meet tonight with Mr. and Mrs. J. S. Mathewson.

E. P. Weatherby has purchased from Morris Mayer the residence property on Norfolk avenue now occupied by A. N. Anthes.

Dr. P. H. Salter of Norfolk delivered an oration on surgery at the annual meeting of the state medical association in Omaha Tuesday.

Among members of the federal grand jury are the following from north Nebraska: D. J. Poynter, Albion; Mell A. Schmeider, Dakota City; Henry Rentzel, Neligh.

Mrs. William Mapes is recovering rapidly from the effects of her recent

operation for abscess of the ear. She is still at the home of her parents, Mr. and Mrs. C. A. Blakely.

Ralph Hutton of this city, who is in the employ of C. P. Parish, is a son of the republican candidate for mayor at Lincoln who came within a few votes of being elected.

The China club enjoyed a very delightful evening last night in perpetrating a surprise party upon Miss Just at her home on North Eleventh street. Music was a feature of the evening. Refreshments were served.

Two commercial travelers in Norfolk representing Paxton & Gallagher received word yesterday of the collapse of a portion of the firm's building in Omaha. H. O. Fredericks and C. A. Blakely were notified by telegraph of the accident, which caused a loss of \$40,000.

The baseball game between the Norfolk and Madison high school lines will be played next Saturday afternoon at Madison. The local line will leave for Madison on the afternoon train, returning to this city in the evening.

The game at Madison will bring the Norfolk high school's baseball season to a close.

The \$40,000 sewer bond issue has been forwarded to New York City to bring to a close the purchase agreement with Spitzer & Co., who agreed to purchase the bonds from the Norfolk city council. On receipt of the bonds it is expected that the purchase price will be at once forwarded to this city.

Of the thirteen licenses granted by the city council Tuesday morning all save two of the saloon men have paid the required \$750 into the city treasury and received their licenses from the clerk. Of the \$8,250 received from this source, \$5,500 goes to the school fund as license fees, \$2,750 to the city as occupation taxes. The men who had not taken out their license certificates up to this morning were Messrs. Foote and Krause.

The preliminary hearing of Herman Boche on the first degree murder charge filed in Justice Lambert's court was called at 5 o'clock Wednesday afternoon in the justice court. The appearance of Lee Vrooman, the hack driver, and five other witnesses was entered and the witnesses called to be present at the formal preliminary which went over on account of the presence of Boche in Madison. On Wednesday afternoon it was expected that this hearing would be held in Norfolk near the noon hour Thursday.

Forced to abandon a visit to his old home in Germany on account of an attack of illness that seized him after he had reached Hoboken, New York, C. L. Seike accompanied by his wife was expected to return from the east today, according to word received by a daughter, Mrs. C. C. Wehrer of South Norfolk. Mr. and Mrs. Seike left Wisner last week for the trip to Germany that was planned largely in the hope of benefiting Mr. Seike's health, which had not been good for some months.

The following committees will have charge of the Elks May party tomorrow night: Social committee—J. C. Stitt, Dr. C. S. Parker, C. B. Salter, C. E. Greene and N. A. Huse; reception committee—Mr. and Mrs. C. E. Burnham, Mr. and Mrs. C. H. Reynolds, Mr. and Mrs. J. K. Boas, Mr. and Mrs. E. A. Bullock, Mr. and Mrs. Alexander Bear, Mr. and Mrs. W. N. Huse and Mr. and Mrs. A. J. Durland; floor committee—D. S. Day, J. B. Maynard, Burt Mapes, G. D. Butterfield, W. A. Witzigman, B. C. Gentle and W. M. Rahnbolt.

With a minimum temperature of fifty-two and a maximum of sixty, Wednesday brought the first real taste of spring sunshine and spring energy that has been known in this part of the country since those two days in March when the mercury ran up to ninety degrees in the shade and then ran down again. The birds are beginning to sing, the grass is beginning to grow, the flowers to perfume the morning air with their fragrance and the apple trees to blossom. Overcoats are hung away in the closet and furnaces have been happily forgotten for the summer.

Letter List.

List of letters remaining uncalled for at the postoffice at Norfolk, Neb., May 7, 1907:

Mr. J. W. Atkins, Mr. Mike Berry 3 letters, Mr. Frank Clark, Mr. Will L. Croseth, Mr. Wm. Duncan care of G. Dudley, Mr. W. M. Duncan care of G. Dudley, Mr. S. F. Evans, Mr. Tom Hill, Mr. Seth Miller, Mr. Paul Retschdorf, Mr. Harry Spencer, Mr. Murray Tyler, Mr. John Thomsen, Mr. Chas. Wilhite.

Mrs. Anna Abbot, Mrs. Hattie Gnoell, Mrs. Pearl King, Miss Minnie Klavitter, Mrs. Augusta Morjorty, Miss May Smith, Miss Anna Shultz.

If not called for in fifteen days will be sent to the dead letter office.

Parties calling for any of the above please say "advertised."

John R. Hays, P. M.

PILGER WANTS BALL GAMES.

Gossip of the Diamond From That Place—Pitcher Had Mumps.

Pilger, Neb., May 8.—Special to The News: Manager W. H. Willis wants games with any baseball club in northeast Nebraska.

Burt Atkinson, one of Pilger's pitchers, is slowly recovering from a severe attack of mumps. Pitcher Compton will be missed but the team still has Schwarz, Atkinson and Martin.

The Stanton high school team will play the Pilger high school team next Saturday in this place.

Ohman, the star twirler for Bellevue, whose home is at Pilger, will still be home.

BOCHE SEEMED WORN OUT

HARD WEEK HAD SAPPED HIM OF HIS STRENGTH.

HIS MIND DROWSY, LIMBS SORE

He Said He Had Existed During the Week on Only a Little Corn for Nourishment and Had Slept Out in the Bitterly Frosty Air at Night.

Madison, Neb., May 8.—From a staff correspondent: Seated inside the iron bars of the Madison county jail, apparently in a state of thorough exhaustion, Herman Boche, charged with murder, was not the big strong man the officers of northeast Nebraska had been looking for. An incredible story of a hunted life lived in the woods for six days, a story brokenly told of days when an ear or so of corn formed the only nourishment at hand, a story of nights spent without in a frost-bitten air; the appearance of Herman Boche in the Madison county jail Wednesday evening made plausible the tale he told.

Talking in broken narrative, but apparently freely, of the occurrences of the week, Boche in the hour following his arrival in Madison yesterday noon, laid bare the story likely to form the basis of his defense. An hour more and he had left his lawyer's office obeying rigid orders for silence much as a child would.

Boche, as he sat in the common cell of the jail unheeded and not stirring, was not the picture of the sullen criminal. There was no trace of cunning or shrewdness. The men about the jail called him "Herman."

Boche, one of the big men of the county, looked emaciated and hollow as he sat in the jail. His eyes, dull and sleepy, were without expression. Whatever life he had led had sapped the vitality from his body. In the quiet of the jail the strain on his nerves was followed by a period of dullness. He said his head bothered him and as night approached complained of being sick and sore.

"I must not say; he told me not to tell," this was the lesson impressed on Boche's mind Wednesday afternoon. If for a moment he seemed to forget caution, the sentence would be broken off with, "I cannot tell anything." As the afternoon wore on the lethargy of the prisoner's mind seemed to increase. Friends and acquaintances gaining admittance to the jail received scant recognition or aroused little interest. The same spirit of dullness that marred his recollection of the past was marked in his mental condition Wednesday afternoon when his mind seemed without power of resistance and readily open to suggestion.

Boche's coming to Madison in company with his cousin, Fred Boche, and Constable Conley created no great stir in the peaceful county seat. Boche personally was apparently known in and about Madison nearly as well as in Norfolk. Word that he was coming had preceded Boche's arrival, but while his course down the street was the center of interest his presence brought no excitement. Boche was not only quite well known about Madison but what sentiment existed seemed if anything to be in his favor. The story of the robbery and other details, rumored even before Boche had made a statement, had made an impression.

DR. LONG'S ADDRESS.

Madison County Physician Was State Association Head.

The following extract from the address of Dr. F. A. Long of Madison, president of the State Medical association, is taken from the Omaha Bee:

As much as I honor the proud position of president which I hold, still I take my election to this office as a recognition of the plodding country doctor, rather than any honor to myself.

Of the 1,700 physicians of the state, 650 belonged to this association a year ago. The lack of interest in medical organizations is more pronounced in the larger centers of population than in the more sparsely settled districts in the western part of the state. I believe the best single thing this association could undertake would be to send an organizer over this state who would personally interview the physicians in the interest of organization. This association has existed four years and still some twenty counties remain unorganized, although the county is the unit of this organization. This leads to the conclusion that our plan of organization is not adapted to all parts of the state. I earnestly recommend our law be changed so that, under proper restrictions, counties having more than five eligible physicians, but whom it appears impossible to organize, may affiliate with an adjoining county.

A great organization like ours needs means of intercommunication, an organ or journal. Similar organizations have recognized this need and have acted upon it. Medical organizations have been slow in adopting an official organ until lately, but at the present time sixteen state associations have state journals, while a number of others have contracts with pre-existing medical publications as official organs of publication of the proceedings and other matters pertaining to the organization represented. These journals are well received by the profession and foster medical organization and the spirit of fraternity, and the journals are either self-supporting or are becoming so. A committee of say

three competent members should be appointed to investigate this matter during the coming year and report its findings in concise form for intelligent action at the next annual meeting.

Dr. Long told of a paper which had become the property of some physicians in Omaha and which he thought might be secured at a fair cost, as it was purchased in the laudable endeavor to save it to the medical profession of Nebraska.

The council on medical education of the American Medical association desires that the Nebraska association be regularly represented at the annual conferences of the council by a delegate and suggests the state association appropriate a sufficient sum of money for traveling expenses. The work of this association includes the problem of interstate reciprocity, which is not an easy one to adjust. No national law can reach matters pertaining to the police powers of the several states.

It is a mistake for individual members of the profession to undertake to prosecute derelicts, charlatans and other infractions. The public looks upon such prosecutions as persecutions arising from jealousy, and public opinion does not justify a physician in his endeavor to rid the community of the professional leper.

Dr. Long scored the practice of giving commissions to physicians for inducing patients to go to certain specialists. He said the general practitioner, especially the country doctor, is entitled to a greater share of the prosperity which is now abroad in the land than he is receiving. He maintained that not enough fees were paid by the insurance companies for examining applicants.

Too Free With Hospital.

He deprecated the practice of rushing all manner of patients to the hospitals as soon as something was wrong with them, thereby saying to the world that the home physician did not consider himself competent to handle cases. Dr. Long ended by giving some practical advice to the younger physicians just entering in the race for business.

Present conditions point unmistakably to a more brilliant future for the profession of medicine. With the profession united in one grand organization, with the doctor harmonious with his local environments, with better standards of medical education, greater progress in scientific medicine, with more equitable laws governing medical practice, the doctor of the near future will be better intellectually, socially, morally, professionally, politically and, let us hope, financially.

Battle Creek.

Paul Vrzal was here Saturday from Lindsay.

Lambert Kerbel bought Mrs. Lizzie Carrabine's house on Depot street and will move into it soon.

Henry Massman, Jr., was here on business from Norfolk Saturday.

Fred Fuerst, sr., who had a long siege of typhoid fever, is out on the street and shaking hands with his many friends again.

Fred Brechler returned Sunday from a business trip to Creighton.

Fred Neuwerk is hauling building material for a new house on his farm south of town. The size of the dwelling will be 24 by 24, two stories and an addition 16 by 18. Carpenter Chas. Werner has the contract.

M. L. Thomsen and family were visiting Sunday at the home of Mrs. Thomsen's sister, Mrs. Wm. Cossairt, at Norfolk.

Holy communion services will be held at the Lutheran church next Sunday.

The John Varne post of the G. A. R. held its regular meeting Saturday and made arrangements for decoration day.

The Battle Creek band gave the people a free concert in the band stand Friday night. Another band of twelve pieces, a string band, is here south of town, and both will help to glorify the next great Fourth of July celebration here.

Mayor D. L. Best soon will have a new stove pipe on top of his head.

A. P. Brubaker has moved into Emil Mertz' house on West Main street.

Samuel Hull of Worth county, Mo., is visiting relatives here this week.

Emil Mertz and family moved to Creighton Tuesday. He will run the flouring mill owned by Maas & Brechler of this place.

Lambert Kerbel went to Spencer Sunday on business.

George Connelly was here Sunday from Tilden visiting relatives.

F. K. Cornett, our village marshal, went to Tilden Tuesday for a visit with relatives. During his absence the star will shine on A. C. Bredehoeft.

Dr. E. Tanner went to Omaha Tuesday to attend a meeting of the medical association.

Wm. Waud was here on business from Valley Tuesday.

Rev. E. Just and family of Green Garden were visiting here Monday at the home of Rev. J. Hoffman.

The Young Ladies' Circle of the Lutheran church met Sunday afternoon at the Hogrefe mansion and elected following officers: President, Miss Lena Prauner; vice president, Miss Alma Merz, and secretary and treasurer, Miss Selma Hofman. The object of the association is music, singing, playing and speaking.

Wm. Hengstler is putting a new roof on his dwelling south of the Catholic church.

E. F. Hans went to Baden Springs, Indiana, Wednesday for recuperation. When he returns he will come by way of Watertown, Wis., where his son Ernest is in college.

Our Catholic friends will have their

CALUMET Baking Powder

The only high grade Baking Powder sold at a moderate price. Complies with the pure food laws of all states.

Trust Baking Powders sell for 45 or 50 cents per pound and may be identified by this exorbitant price. They are a menace to public health, as food prepared from them contains large quantities of Rochelle salts, a dangerous cathartic drug.

own minister here in the near future. They are going to build a parsonage at a cost of \$3,000, \$2,500 of that amount being subscribed already.

Tuesday Fred Eyl had his little finger on his left hand badly smashed in a cornsheller, and Dr. Munson found it necessary to amputate half of the member.

Czar Johnson returned Tuesday as a graduate from the Creighton medical college at Omaha. He is a full-fledged M. D. now.

The new village trustees wound up the old year's business Monday night. Wm. Hengstler as treasurer was approved and the old treasurer, W. L. Boyer, handed over to him more than \$4,000 cash. Battle Creek will be "dry," but only on Sunday, and the saloons will have to close at 10:30 at night. All nickel in the slot and cigar machines are knocked out. Everything went on smoothly, to the wish of the majority of the people.

Licenses Granted.

The following saloon licenses were granted, the licenses to be issued by the city clerk on the payment of the required license fee: John Weidenfeller, Gund Brewing company (wholesale license, new application), P. M. Barrett, James Keleher (Junction), R. L. Beveridge, J. Harvey Foote (new application), C. F. A. Marquardt, William G. Berner, Emil Moeller, William Stokes, J. E. Walton, Charles Rice, A. Krause. The application of Henry Hasenpflug for a license in the Jarner location will come up at a later meeting.

The following druggist permits were granted: A. K. Leonard, J. L. Herschiser (Junction), F. F. Ware & Son, Kleasay Drug company, George B. Christoph.

After a wholesale license had been granted to the Gund Brewing company, on Mayor Durland's suggestion the city attorney was instructed to investigate the possibility of requiring other wholesale houses doing business in Norfolk to take out liquor licenses.

The annual reports of the city clerk and police judge were turned over to the auditing committee.

Called to pass on the recent paving remonstrance filed with the city council, City Attorney Hazen held that the remonstrance had no legal force. The council voted that the paving resolutions having been adopted no action should be taken on the remonstrance.

Norfolk's collection of damage claims filed against the city were referred to the new city attorney. The city attorney, that the opening days of his office might be filled with a rush of business, was also instructed to prepare a new ordinance to cover the city sewer system now nearly completed.

Mayor Durland announced to the council the following committees for the new municipal year:

Ways and Means, Spellman, Garvin and Brummund.

Auditing, Kaufman, Spellman and Garvin.

Fire and Police, Haase, Spellman and Degner.

Streets and Alleys, Degner, Kaufman, Haase and Dolan.

Public Works, Brummund, Degner and Craven.

Nuisance, Haase, Dolan and Craven.

The city clerk was instructed by the new council to advertise for bids for the construction of cement sidewalks and for the construction of cement crossings.

The new council adjourned near the noon hour, the next regular meeting falling on May 16.

FAVORABLE TO BARGAIN DAYS

Meeting of Norfolk Merchants Will be Called to Discuss Plan.

Norfolk avenue merchants are favorable to a systematic plan of Norfolk bargain days to bring more to the Commercial club directors Tuesday by W. R. Hoffman.

On Mr. Hoffman reporting that sentiment favorable to some such plan of "trade getting" was found among the business men, the secretary of the Commercial club and Mr. Hoffman were asked to call the Norfolk merchants together in order to work out the details of the proposition.

Owing to the absence of General Manager Mohler of the Union Pacific from Omaha, A. J. Durland reported to the directors that a date for the union depot conference had not yet been secured.

The president of the Commercial

club was asked to present to the officials of the Northwestern a request that certain freight trains should be stopped at Pilger and other nearby towns to make better train connections between Norfolk and this immediate territory.

A formal vote of thanks on the part of the Commercial club and the city of Norfolk was given to S. F. Erskine, C. D. Simms, C. E. Greene and the other traveling men who secured next year's meeting of the "U. C. T." for Norfolk.

Directors Burnham, Hoffman, Mayer, Degner, Durland and Carney were present at the Tuesday meeting.

NELIGH MARSHAL NOT GUILTY

Court Finds Charge of J. N. Mills to be Unwarranted.

Neligh, Neb., May 8.—Special to The News: The greater part of yesterday forenoon occupied the attention of the county judge in hearing the case wherein J. N. Mills had City Marshal Coker arrested for the destruction of property. After hearing evidence and arguments of attorneys, the judge found the officer not guilty. It is rumored that Mills will take the case to the district court.

Big Shipment of Steers.

Boyd County Register: Bristow was a busy little town last Sunday as a result of a large shipment of cattle from that point, in fact a whole trainload to the Chicago market. The feeders who shipped were J. F. Moran of Gross, who shipped 110 head; S. S. Parsons of Gross, 60 head; A. H. Blair of Gross, 60 head, and Christ Anderson of Bristow, who shipped about 100 head. These were all fine large steers, fed in that locality and will no doubt bring top notch on the Chicago market. Boyd county feeders are making money every year in buying up steers and finishing them, up for the market on Boyd county corn. There are many feed yards full of fat steers yet and still the surplus corn from last year's crop is piled high throughout the length and breadth of Boyd county.

\$2,000 LICENSE AT AINSWORTH.

A Saloon Opened There—Business Change Takes Place.

Ainsworth, Neb., May 8.—Special to The News: A saloon in full blast was opened in Ainsworth yesterday with J. D. Birdsall as the proprietor. He paid \$2,000 for his license.

Burwell & Beatty of Long Pine have bought out the Atkinson hardware stock and the furniture and undertaking business of F. W. Sisson.

WILL RACE AT STATE FAIR.

The Following Horses, Well Known in This Section, to Start.

The following race horses well known in northern Nebraska and southern South Dakota have been entered for the state fair races at Lincoln next September:

Three-year-old trot: purse, \$500—Pickett, ch. g., Pactolus; Jim Young, St. Edward, Neb.

Alice L. Woodford, Woodford Wilkes; Walter S. Miller, Wayne, Neb.

Three-year-old, 2:45 trot for Nebraska-bred colts: purse, \$500—Alice L. Woodford, Woodford Wilkes; Walter S. Miller, Wayne, Neb.

King Woodford, br. s., Woodford Wilkes; William Zulauf, Pierce, Neb.

Freddie C. b. g., Spokane; N. A. Culver, Albion, Neb.

Lilley of the Blue, b. m., Spokane; N. A. Culver, Albion, Neb.

Sweet Child, b. m., Sol; Pettis & Way, Wayne, Neb.

2:24 trot: purse, \$1,000—White Wings, —; George McLeod, O'Neill, Neb.

Cooksey, blk. s., Greenlander; Fred Douglas, Tekamah, Neb.

2:30 pace: purse, \$1,000—Minnie Marks, b. m., Joe Marshall; Al Marks, Stanton, Neb.

Miranda, br. m., Archdale; R. D. Wall, Fremont, Neb.

Troy, blk. g., St. Croix; S. F. Lucas, Bonesteel, S. D.

Madge, b. m., Union Medium; Pettie & Way, Wayne, Neb.

2:24 pace: purse, \$1,000—Gale Blewett, b. m., —; A. J. Eddy, Fremont, Neb.

Miranda, br. m., Archdale; R. D. Wall, Fremont, Neb.

Black Pat, s. s., Pat W.; James McGowan, Bloomfield, Neb.

Sadie Bernadotte, blk. m., Bernadotte; James McGowan, Bloomfield, Neb.

Jim Booth, ch. g., Major Bob; W. G. Boyd, Salem, Neb.